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July 9, 2009

CERTIFIED MAIL: 7009 0080 0000 7308 0707

Mr. William Plummer
Deputy City Engineer
Carlsbad Municipal Water District
5950 El Camino Real
Carlsbad, CA 92008

In reply refer to:
213270:oosibodu

Dear Mr. Plummer:

**SUBJECT: NOTICE OF VIOLATION NO. R9-2009-0114
CARLSBAD WATER RECYCLING FACILITY**

Enclosed is Notice of Violation (NOV) No. R9-2009-0114 for Carlsbad Water Recycling Facility (Carlsbad WRF). The basis for this NOV was the monitoring data contained in the August 2008 through April 2009 monthly reports; the July - September 2008, October - December 2008, and January - March 2009 quarterly monitoring reports; and the January - December 2008 annual monitoring report. These monitoring reports were submitted by the Carlsbad Municipal Water District (District) in accordance with Monitoring and Reporting Program No. 2001-352.

Please take steps to implement the follow-up actions necessary to ensure that the violations noted do not occur in the future. These violations subject the District to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (Regional Board), including administrative enforcement orders requiring the District to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation;¹ referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

The next monitoring report required to be submitted is the June 2009 monthly monitoring report, which is due by August 1, 2009.

¹ Under authority of California Water Code section 13350.

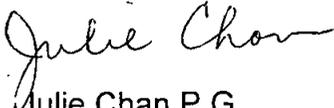
Mr. William Plummer
Notice of Violation No. R9-2009-0114
Carlsbad WRF

- 2 -

July 9, 2009

In the subject line of any response, please include the requested "in reply refer to" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Mr. Fisayo Osibodu at (858)-637-5594 or via e-mail at oosibodu@waterboards.ca.gov.

Sincerely,



Julie Chan P.G.
Supervising Engineering Geologist
Groundwater Basins Branch

JC:rwm:oo

cc: Kevin Hardy
General Manager
Encina Wastewater Authority
6200 Avenida Encinas
Carlsbad, CA 92011-1095

IN THE MATTER OF

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NOTICE OF VIOLATION
NO. R9-2009-0114

Carlsbad Municipal Water District
5950 El Camino Real
Carlsbad, CA 92008

In reply refer to:
213270: oosibodu

Waste Discharge Requirements: Order No. 2001-352
Facility: Carlsbad Water Recycling Facility

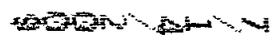
YOU ARE HEREBY NOTIFIED THAT:

The Carlsbad Municipal Water District (District) is in violation of Order No. 2001-352, *Waste Discharge Requirements for the Carlsbad Municipal Water District, Carlsbad Water Recycling Facility, San Diego County*. These violations subject the District to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (Regional Board), including administrative enforcement orders requiring the District to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation¹; referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

The Regional Board reviewed the following monitoring reports which were submitted for Order No. 2001-352.

FREQUENCY	PERIOD	REPORT DATE	DATE RECEIVED
Monthly	August 2008	September 16, 2008	September 19, 2008
	September 2008	October 14, 2008	October 16, 2008
	October 2008	November 19, 2008	November 24, 2009
	November 2008	December 12, 2008	December 15, 2009
	December 2008	January 14, 2009	January 30, 2009
	January 2009	February 17, 2009	February 25, 2009
	February 2009	March 26, 2009	April 1, 2009
	March 2009	April 20, 2009	April 24, 2009
	April 2009	May 21, 2009	May 22, 2009
	Quarterly	July – September 2008	October 14, 2008
October – December 2008		January 14, 2009	January 30, 2009
January – March 2009		April 20, 2009	April 24, 2009
Annual	January – December 2008	January 14, 2009	January 30, 2009

¹ Under authority of California Water Code section 13350



July 9, 2009

A total of 22 effluent violations were identified in the subject monitoring reports. The violations consisted of the following:

Summary of Violations

1. The daily average effluent turbidity values were reported as 2.3 and 2.5 Nephelometric Turbidity Units (NTU) on April 14 and March 25, 2009 respectively. These values exceeded the daily average effluent turbidity limit of 2 NTU specified in Discharge Specification B.2 of Order No. 2001-0352.
2. There were 19 violations of Discharge Specification B.5, which states that the daily effluent manganese concentration shall not exceed 0.06 milligrams per Liter (mg/L). The number of daily effluent manganese violations for each month are listed below:

Three violations for March 2009

One violation for December 2008

Two violations for November 2008

Four violations for October 2008

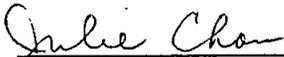
Five violations for September 2008

Four violations for August 2008
3. The effluent residual chlorine concentration was reported as 343 milligrams-minutes per Liter (mg-min/L) on September 23, 2009. A minimum effluent residual chlorine concentration of 450 mg-min/L is required to be maintained at all times.

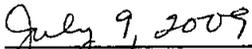
July 9, 2009

Questions pertaining to the issuance of this Notice of Violation are to be directed to Mr. Fisayo Osibodu at 858-637-5594 or via e-mail at osibodu@waterboards.ca.gov. Written correspondence should be directed to the following address:

Ms. Julie Chan
Supervising Engineering Geologist
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340



Julie Chan, P.G.
Supervising Engineering Geologist
Groundwater Basins Branch



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PS Form 3800, August 2006 See Reverse for Instructions